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URGENT ACTION

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Further information on UA 408/91 (ASA 21/26/91, 22 November 1991) and follow-ups ASA 21/28/91 of 29 November 1991, ASA 21/29/91 of 10 December 1991, ASA 21/02/92 of 9 January 1992 and ASA 21/04/92 of 5 March 1992 - Legal Concern

Indonesia/East Timor:

This Urgent Action provides updated information about East Timorese arrested in connection with the Santa Cruz massacre of 12 November 1991. During the massacre between 100 and 200 people were killed when troops opened fire on participants in a peaceful memorial procession. In Dili, those arrested were accused of having organized, or participated in the memorial procession. In Jakarta, arrests occurred after peaceful demonstrations held to protest against the Santa Cruz killings and other human rights violations in East Timor.

Some of those arrested are currently being tried under Indonesia's sweeping Anti-Subversion Law. Others face charges of "expressing feelings of hostility, hatred or contempt toward the Indonesian Government", which is defined as a criminal offence under Indonesian law. Still others, whom the government says it had released, are reportedly confined in Jakarta and East Timor, where they are undergoing "lectures" or "mental guidance" before being allowed to return to their homes.

Jakarta:
Fernando de Araujo
Joao Freitas da Camara

Charged with subversion. Currently on trial in Jakarta

Agapito Cardoso
Domingos Barreto
Virgilio da Silva Guterres

Charged under Articles 154 and 155 of the Criminal Code, "expressing feelings of hostility..." On trial in Jakarta.

Metodio Moniz
Antonio Lopez
Felipe da Silva
Joaõ Sarmento
Fausto Bernardino
Joao "Travolta"
Gregorio de Araujo
Jose Maria Belo
Avelino Maria Coelho da Silva
Mario Canelas
Egas Quintao Monteiro
Francisco Vasco Ramos
Jose Luis de Oliveira
Sergio Das Quintao
Benevides Cabral
Ilidio da Costa
Antonio Soares

This group of students was also arrested after participating in demonstrations protesting against human rights violations in East Timor.

On 28 February 1992 the authorities announced the release of 17 students. Reports indicate that the 17 were in fact transfered to a government boarding house in East Jakarta. Their current circumstances are not known. The authorities have said that the students would face re-arrest if new evidence of their involvement in anti-government activities emerged.

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Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience.* It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners.*

Amnesty International believes that some or all of this group may be being held in a government boarding house, in East Jakarta.

The current whereabouts of **Antonio Gonçalves** are unknown, but he is believed to have been released from detention.

Dili:
Francisco Miranda Branco
Gregorio da Cunha Saldanha

Charged with subversion. Currently facing trial in Dili, East Timor.

Bonifacio Magno
Carlos dos Santos Lemos
Filomeno da Silva Ferreira
Jacinto das Neves Raimundo Alves
Juvencio de Jesus Martins
Saturnino da Costa Belo

Reportedly charged with "expressing hostility..." Trials have not yet begun.

A further 24 East Timorese, arrested in connection with the Santa Cruz massacre, were reportedly released in early March 1992. Press reports have recently indicated that the detainees are in fact being held somewhere outside Dili, where they are undergoing "mental guidance" to "become sound Indonesians, capable of taking part in development". The 24 are believed to be held under the command of Brig. Gen. Theo Syafei, the military commander of East Timor.

Bali detainees returned from Jakarta to Bali:
Jose Pompeia Saldanha Ribeiro
Clemente Soares
Antonio Matos

These students were arrested with **Fernando de Araujo** in Denpasar, Bali. All four were transferred to Jakarta between 20 and 22 December 1991. On 10 January 1992, the three named here were returned to Bali. It is not clear whether they have been released from detention.

Yogyakarta:
Amnesty International has learned that the students reportedly detained in Yogyakarta were in fact held in custody in Jakarta. They are **Ilidio da Costa** and **Jose Luis de Oliveira.**

Bandung: Released
Nine East Timorese students arrested in Bandung have reportedly been released from detention. They include:

Agus Jaya
Asep
Novi
Daniel
Nurdin
Pius

For further information see the Amnesty International report Indonesia/East Timor: Santa Cruz - The Government Response February 1992 (ASA 21/03/92). This update requires no further action. If further action is required from the Urgent Action network on any of these cases, new urgent actions will be issued.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.